

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

REGION 4

245 WEST BROADWAY, SUITE 350
LONG BEACH, CA 90802
(213) 590-4868



September 30 , 1991

Solar Turbines, Inc.
Habor Drive Plant
2200 Pacific Highway
Sandiego, California 92138-5376

Dear Mr. D.M. Lehmann:

CORRECTIVE ACTION ORDER, DOCKET NO. DO 91/92-4-001

Enclosed you will find a Stipulation and Order referencing the subject document. Please sign and date the Stipulation and Order and immediately return it to my attention at the above address. Please return the original Stipulation and Order and keep a copy for yourself.

If you have any questions, please contact me at (213) 590-4985.

Sincerely,

A handwritten signature in cursive script that reads "Clarence Berman".

Clarence Berman
Unit Chief
Surveillance and Enforcement Branch

Enclosure

Certified Mail
P 444 759 236
Return Receipt Requested

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:) Docket No. DO 91/92 4-001
Name: Solar Turbines, Inc.) STIPULATION AND ORDER
(Habor Drive Plant))
Address: 2200 Pacific Highway) Health and Safety Code
San Diego, CA 92138-5376) Sections 25187 and 25189.2
Respondent)

The State Department of Health Services (Department)
and Respondent agree as follows:

1. A dispute exists regarding the Corrective Action Order and Complaint for Penalty (Order and Complaint) issued by the Department on July 8, 1991.

2. Respondent does not admit the allegations made in the Order and Complaint, except as follows: Respondent admits the allegations made in the Order and/or Complaint for the purposes of any subsequent action brought pursuant to the Hazardous Waste Control Act, Health and Safety Code section 25100 et seq., within five years of the date of the violations alleged in the Order and/or Complaint.

3. The parties wish to avoid the expense of further litigation and to ensure prompt action to achieve compliance.

4. Jurisdiction exists pursuant to Health and Safety Code sections 25187 and 25189.2.

5. Respondent waives any right to a hearing in this matter.

6. This Stipulation and Order shall constitute full settlement of the violations alleged in the Order and Complaint, but does not limit the

1 Department from taking appropriate enforcement action concerning other
2 violations.

3 7. Respondent shall correct the alleged violations as specified
4 in paragraph 3 of the Order and Complaint, except as modified in Exhibit 2,
5 if any, attached to this Stipulation and Order.

6 8. Respondent shall pay the Department a penalty of
7 \$ 28,000.00. Respondent's check should be made payable to the Department of
8 Health Services, Toxic Substances Control Program. Within 30 days of the
9 date this Stipulation and Order is fully executed, Respondent shall deliver
10 the penalty payment to:

11 Department of Toxic Substances Control
12 Surveillance and Enforcement Branch
13 245 West Broadway, Suite 350
14 Long Beach, California 90802

15 Dated: _____
16 (Respondent)

17 Dated: _____
18 William F. Soo Hoo
19 Interim Director

20 cc: Mr. William F. Soo Hoo
21 Enforcement Coordinator
22 Toxics Legal Office
23 Department of Toxic Substances Control
24 P.O. Box 806
25 Sacramento, California 98512-0806

26 Ms. Mary Locke
27 Chief Investigator
Office of Local Enforcement
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 98512-0806

1 cc: Mr. Don Johnson, Chief
2 Surveillance and Enforcement
3 Department of Toxic Substances Control
4 P.O. Box 806
5 Sacramento, California 98512-0806

6 Mr. Val Siebal
7 Regional Administrator
8 Region 1
9 Department of Toxic Substances Control
10 P.O. Box 806
11 Sacramento, California 98512-0806

12 Mr. Howard Hatayama
13 Regional Administrator
14 Region 2
15 Department of Toxic Substances Control
16 P.O. Box 806
17 Sacramento, California 98512-0806

18 Mr. Dennis Dickerson
19 Regional Administrator
20 Region 3
21 Department of Toxic Substances Control
22 P.O. Box 806
23 Sacramento, California 98512-0806

24 Mr. Frank Laguna
25 Regional Coordinator
26 U.S. Environmental Protection Agency
27 Region 9
Mailstop H-4-1
75 Hawthorne Street
San Francisco, California 94105

Ms. Theodora Berger
Assistant Attorney General
Office of the Attorney General
3580 Wilshire Blvd., Room 800
Los Angeles, California 90010

Mr. Rick Porter
Program Manager
San Diego County
Hazardous Materials Management Division
Environmental Health Services
1255 Imperial Avenue, 3rd Floor
P.O. Box 85261
San Diego, California 92138-5261